

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
No. 7:08-CR-101-FL-1

UNITED STATES OF AMERICA,)
)
)
v.)
)
RICHARD F. WILLIAMS, JR.)

ORDER

On December 7, 2016, the court received a motion to obtain free copies of documents filed by Richard F. Williams, Jr. (“movant”) [DE-74]. Movant states he is indigent, and seeks a copy of the transcript of the sentencing proceeding in this action.

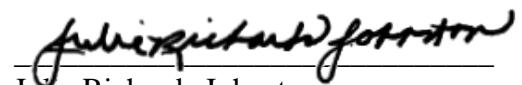
The docket sheet in this action shows that on June 5, 2009, movant was sentenced to a term of imprisonment by the court. He did not file an appeal from the judgment of conviction and sentence. On June 4, 2010, movant filed a motion to vacate under 28 U.S.C. § 2555 [DE-31], which was denied by the court in orders filed on October 20, 2011 [DE-44] and December 31, 2012 [DE-60]. Movant filed a notice of appeal [DE-63], which was dismissed by the Fourth Circuit of Appeals on April 23, 2013 [DE-69]. The docket indicates that there are no other pending appeals or motions for relief from the judgment.

Federal inmates are not entitled to documents and materials at government expense for collateral attacks on their convictions, absent some showing of a particularized need. United States v. MacCollum, 426 U.S. 317, 326-27 (1976); United States v. Gallo, 849 F.2d 607 (Table), 1988 WL 60934, at *1 (4th Cir. May 31, 1988) (“Copies of transcripts and court records may be provided to an indigent litigant at government expense upon a showing by the litigant of a particularized need.”). “An indigent is not entitled to free copies ‘merely to comb the record in the hope of

discovering some flaw.”” Gallo, 1988 WL 60934 at *1 (quoting United States v. Glass, 317 F.2d 200, 202 (4th Cir. 1963)).

As the docket sheet indicates, there are no pending appeals or motions for post-conviction relief. Accordingly, there are no current proceedings before the court that require the requested documents nor has movant identified the reasons these documents should be furnished to him. Consequently, his motion to obtain free copies [DE-74] is DENIED.

SO ORDERED. This the 6th day of January, 2017.



Julie Richards Johnston
Clerk of Court